cing away a little longer. He thought that

"There was amothing in connection with the transactions of the supply deportment that seemed to make it advisable that you should not continue there where you could be content?" Heye was asked.

Well, there were some verseliers falgred," for replied. 'I may as well tell you.

"Above your ago I signed escalpts for escalpts for escalpts by direction of Mr. A. C. Finish for fewentling experience f algered my name I got the memor, but I defer's hear it errouts. atther paid it to Mr. Pielebr or to some burly to directed me to pay it in. That I don't remember exactly, had I maw I was directed to make out a receipt for as much money several hundred deliars, the amount postd for travelling expenses. No doubt I got the money, but I know quite well I didn't keep it. I either handed it to Mr. Fields or Mr. Fields handed it to some backy or I handed it to sometody. That part of it I don't comember. All I know is that I did it by order of Mr. Fields and that I didn't keep the money."

Here said the amount aggregated less than \$1,000, probably not more than \$500. He was asked by Mr. Truesdale if there were other matters by was afraid to testify

"Bosicies that," he said, after saying selidn't want to testify, "I signed other receipts, once every month, for money to pay bills made out in A. C. Fields's name for setuff used at the restaurant and amounts charged to the restaurant account. It fewas simply stuff used at board meeting dinners and other meeting dinners some extras. They were all delivered in the Building.

Were any of them delivered to any one

"Sometimes Mr. Fields had some cigars, Phut I wrote to Mr. Cromwell the other day that some cigars were used by Mr. Fields as gifts to some political friends of the company who had done friendly services."

"Do you remember an occasion when Mr. Fields came into the office down there where you and other supply men were working and, calling attention to a lot of books and records, directed you or some one else there to destroy them?" Heye was asked.

"No, he never ordered me to destroy Sthem, and I don't know that he directed any one else to do so," said Heye. "It was always his way of doing things. He would come in there and say 'Why have you got all these things around here?' Once I had a big desk, and he said 'Gather up these things: one-half of them will do just as well. It used to be that way. He never told me to destroy books on any occasion-not directly. He may have said indirectly 'Why don't you get rid of these bills that fill these boxes and shelves? What are all these bills?' I said 'They are bills used in packages-dozens of packages.' He said 'What do you keep them all for? 'Why don't you get rid of them and not have your office full of that sort of stuff? By and by you won't have any place to keep anything." He went on that way sometimes, but he never gave me direct orders to destroy anything, only as a general thing he kept saying 'Why don't you make more room and get rid of things?"

Heye also testified that all the stationery and printing expenses for 1904, amounting to \$601,101, went on books kept by him. Henry P. Velte, counsel for Fields, said

vesterday that he had had a talk with Fields at Ocean Grove, N. J., and that Fields had not been notified by Mr. Jerome when he would be wanted as a witness before the Grand Jury.

Mutual Life officers said yesterday that they knew nothing about the missing books in the supply department which District Attorney Jerome is supposed to have re-They had been unable to get any trace of the books, and if Mr. Jerome has them they know nothing authoritative

The Mutual will not serve its complaint the action against riel the facts which came out in the Crand Jury room are known-that is, unless Fields compels the company to serve it. The company has already got one extension of time from the court. That extension expires on May 30, and if Fields will not consent to further delay the company will have to serve him with a complaint based on the facts that are now available.

SUES FOR INSURANCE FEES.

State of Pennsylvania Asks \$200,000 From Former Commissioners.

HARRISBURG, Pa., May 11.-Attorney General Carson this afternoon entered suit in the Dauphin County Court to recover \$200,000 collected as actuarial fees by former State Insurance Commissioners George B. Luper, James H. Lambert and Israel W. Durham, during their terms of office. The suit is the outcome of the legislative

investigation of the Insurance Department

last winter, when it was shown that each of the Commissioners, directly or through personal representatives, had gathered in about \$30,000 a year of the fees charged by the actuary of the department for putting valuations on policies held in this State. Similar suit is entered against Capt. J. Clayton Erb, who was Comm ssioner Durham s right hand man when the latter

boss of the Republican organization in Philadelphia. Erb told the legislative in-vestigating committee that he was the actuary during Durham's administration, and admitted having personally collected \$147,000 of the fees. Attorney-General holds that all the

actuarial fees are the property of the State, and asks the court to compel the defendants to make restitution. Durham is in California for his health. Luper is in New York and Lambert and Erb are in Phila-

FRICK PAID FOR INQUIRY.

Bore Most of Expense of Equitable Investigation-Why Morton Opposed New Laws.

President Paul Morton has sent out a letter to the editors of papers all over the country explaining in detail the condition of the Equitable Life Assurance Society and his policy in managing it. The announcement is made in the letter that Henry C. Frick personally bore the greater part of the expense entailed in the investigation by the Frick committee.

That was the committee which was appointed when the Hyde-Alexander fight was on. Mr. Frick was chairman. Other directors on the committée were E. H. Harriman, Cornelius N. Bliss, Melville E. Ingalls and Brayton Ives. The entire committee resigned after its report recommending the retirement of both Hyde and Alexander was turned down by the board of

Mr. Hyde has charged Mr. Frick and Mr. Harriman with having conspired in that report to get control of the Equitable majority stock. The investigation was an expensive one. Some estimates have put the expenses at more than \$100,000. Presideat Morton says in his letter, among other

things: Some newspapers have criticised me for objecting before the New York Legislature to a few of the new laws proposed by the Armstrong committee. In justice to the policy-holders, to the committee and to myself, no other course was open to me. It satisfaction to say that we assisted that committee in its investigation in every way that we

pomethic countil, and white group in they can nittee full credit for the thoroughness of its needingston and the honoute of its conclu-tions, we believed, and still fellows, that some of the laws which it proposed, and which have time been enacted would enerate to the dis-advantage of present policyholders by de-creasing the return of the unused portion of their premiums, thereby increasing the cost of their insurance, and of these who should be support in scratter to these families.

Should this four be realized the policy-holders would be in a position to justly efficient us in a few years, and we remained eitent for neglecting to protect their interests. We probably will experience auflous difficulty in operating under some of the new laws, but will be complied with in letter and spirit If the results prove that parts of the new laws are unwise, they will undoubtedly be cor

Mr. Morton declares that he is unafter-

Mr. Morton declares that he is uniterably opposed to political contributions or
lobbying or to the payment of anything
which has about it "so much as a suspicion
of blackmail."

"The policyholders, who constitute the
society, will," says he, "be relied on to
oppose with their personal influence legislation that is calculated to increase the
cost of their insurance by increasing the
cost of management. The society will call
attention to measures that are likely to attention to measures that are likely to prove detrimental to their interests, but under no circumstances will it be a party to any corrupt or underhand methods to either prevent or secure legislation.

BRITISH INSURANCE INQUIRY. House of Lords Takes Up Question of Protecting Polleyholders in Foreign Cos.

Special Cable Despatch to THE SUN. LONDON, May 11. The special comnittee of the House of Lords, appointed to consider and report measures for the protection of British subjects who hold policies in foreign insurance companies, held its first meeting to-day.

The directors of the Edinburgh and North British and Mercantile insurance companies stated that they believe \$3, 750,000 would cover the companies' San Francisco losses

The Mutual Life Insurance Company has sent a circular to its policyholders informing them that J. H. Harrison Hogge, agency manager, has been made manager for Great Britain, to succeed D. C. Haldema, who resigned March 26.

MUTUAL TRUSTEES WILL STICK. All of Them to Stand for Reelection Next

December. It was learned yesterday on good authority that all of the present trustees of the Mutual Life Insurance Company will

stand for reelection next December. That includes the three trustees who were on the Mutual's committee on expenditures and who were criticised severely by the Truesdale investigating committee—Robert Olyphant, Charles E. Miller and James C. Holden.

FOUR KILLED IN FREIGHT WRECK

Rear End Collision Derails Two Engineer

-Five Cars Telescoped. LYNCHBURG, Va., May 11.-A freight wreck occurred in a fog at about 4 o'clock this morning at Concord Hill, on the Norfolk and Western, six miles east of this city, were lost and four were injured.

The dead are J. F. Carroll of this city and J. A. Walden of Roanoke, firemen on engines used as pushers; H. Bondurant of Clays Crossing, who was learning his duties as firemen on a pusher, and William Langhorne, a colored brakeman on the

second section.

The injured are A. S. Wood and C. A. Wygal of this city, engineers on the pushers, and Engineer Farley of Rices, of the second and Engineer Parisy of Intest, of the section, all sustaining, dislocations of the shoulder. James Hart of Roanoke, who was firing on the second section, had a leg broken. All are in the Hygeia Hospital in this city.

On the steep hill mentioned a freight On the steep hill mentioned a freight was ascending the grade with two pushers, but a second section, not seeing the other one on account of the fog, dashed into the rear of the other, throwing two engines off the track and one of them down the embankment. Five cars were tele-scoped and the tender of the third engine is also derailed.

ARRESTED THE GOVERNESS,

Though She Wasn't to Blame for Collie Wrecking Bike Con Kupfrain's Wheel. Margaret Schroeder, employed as a governess in the family of Berthold Hochschild at 565 West End avenue, was leading collie dog along Seventy-second street at Broadway yesterday afternoon, when the animal slipped the leash and made for Bicycle Policeman Kupfrain, who was headed west through Seventy-second street

The dog made a snap at the cop's breeches, and he, in his anxiety to escape being bitten, fell sprawling from his bicycle to the street. The bike rolled out into the centre of the

The bike rolled out into the centre of the thoroughfare and an automobile ran over it. The bike was completely wrecked.

The cop was hot under the collar and he placed Miss Schroeder under arrest, charging her with leading an unleashed animal through the streets. The governess protested, saying that she had the dog leashed, but that it managed to slip away. Her protests counted for naught, and she was taken to the West Sixty-eighth street station house and detained until a member of her employer's family hurried down and gave bail for her.

bail for her. Di vorce for Mary L. Collins.

NEW HAVEN, May 11.-Mary L. Collins of Meriden was divored from Charles L. Collins of Essex to-day by Judge Shumway on the ground of desertion. They were married February 4, 1878. The Court ordered the defendant to pay \$11,000 alimony, on which they had agreed

Correct Arres for Min

Not a detail goes unheeded—if by its adoption any

improvement of style or durability will follow.

George G. Brnjamin Braadway, Cor. 36 35.

D. B. HILL AND THE EQUITABLE

HE'S EXAMINED, BY REQUEST BY SPATE HAR ASSESSMENT

tte francoi tre an imm a vese fletainer. and Siminent Legal Persons Stockers that He Want's Scorpalit for the Work.

foreid ft. fill appeared perforder for fore a special sub-committee of the griev-Association, at his over request, for my by configuration of his relations with the Replifes him fafor Ammeronee Society. The Equitable pase files \$5,000 a year

At the time of the Armstenna investigathere the committee wanted from to testify but illness pervented him from attending So much comment was rated because of his relations with the company that Mr. Hill unlined the flar Association of the State to make an investigation. Mr. Ifill was still in best when he wrote a strong appeal to the association

"I assert," he said, "that I hopestly and fairly earned every dellar which was paid to me by the Equitable society. The employment was wholly unscilcited by me, hough I confess that it was welcome, as I had left the Governor's office poorer than I entered it. The services rendered were wholly and strictly professional. I declare that I never received from the society any moneys whatsoever for any political vices or for any political purposes. And I can teuthfully affirm that I never received during my whole thirty years of political life from any corporation whatpoever a dollar of money for any political services or purposes. There is nothing in my professional connections with the Equitaable which requires either explanation or apology or which warrants any just criti-

The sub-committee appointed to investigate was composed of E. W. Huffcut, dean of the Cornell law school, chairman; John of the Cornell law school, chairman; John H. Burke of Ballston Spa, James Dougherty of Cortland, Amos Van Etten of Kingston and Arthur H. Masten of this city. The committee met in the Bar Association's building in West Forty-fourth street. Henry Galbruth Ward was counsel for the committee. Mr. Hill was represented by Charles A. Collins.

At the opening of the morning session

At the opening of the morning session Mr. Hill was requested to open his case with a statement specifying in detail as nearly as possible the duties he performed while receiving \$5,000 a year from the Equitable He said in part:

It was in 1892 that I was retained by the Equitable society to act as one of its counsel The understanding was that I was to give legal advice to the officers of the society whenever requested and to perform such other strictly professional services as might reasonably be required or expected from a consuiting lawyer at a stated compensation which should be satisfactory to me and which ras soon thereafter agreed upon at an annual salary or retainer of \$5,000.

Among the many questions of importance which were early submitted for my decision in 1892-93 was one relating to the restaurant known as the Café Savarin, the business of which was virtually conducted, either di-rectly or indirectly, by the Equitable society. The matter was regarded by the society as important, because if the contention of the objectors was sustained it would materially reduce the rental income which the Equitable derived from the hundreds of tenants of the Building, and hence I thoroughly nvestigated the questions involved and gave hem most careful consideration.

In 1894 the society requested an opinion from as to the constitutionality of the income tax provision contained in the Wilson Tariff Although the Equitable and similar classes of life insurance companies were ex-empted from the tax by the express terms of the statute. I was given to understand that an opinion was desired because of the large investments which that society had in the se-curities of other corporations liable to the tax, the market value of which securities might be injuriously affected by the collection of such tax. I advised the society that in my opinion the income tax provision was in violation of the Constitution of the United

After the Presidential election of 1896, and in the month of December following, there was presented to the Equitable society by the Chief Executive of a certain State a written demand that he be furnished with a statement showing what political contributions had been made by the society during the preceding Presidential campaign, together with the names of all the officials of the society and the amounts of their respective salaries or compensation received by them. The society preferred not to comply with such peremptory demand, which was regarded

as unprecedented and offensive, unless it was legally required to do so either under the laws of that State or the laws of this State and my opinion was asked as to the rights and obligations of the society in the matter After an examination of the statutes of two States, I advised a certain conciliatory course to be pursued which was substantially followed by them. In 1898 I was consulted by the society in relation to certain important demands made

upon it by the Insurance Department of Missouri. It was a troublesome situation, to which I gave considerable personal attention until a satisfactory solution was finally se-In 1899 there was pending in the courts of

this State the action of Greeff against the Equitable society, in which was involved the construction of the insurance law as well as the rights and liabilities of the society under its charter and under the policy issued to the plaintiff in that case and under all similar policies. It was concededly a most im-

Mr. Hill told what he had done in this case. He got a favorable decision in the Court of Appeals and since that time no similar suit had been brought against the society. He went on:

It should be stated that besides my annual etainer of \$5,000, paid me by the society, it insolicited on my part, paid me \$2,500 as additional compensation for that year by reason of my services in the Greeff litigation.

In 1900 I was consulted by the society in re lation to the case of Hackett vs. the Equitable Life Assurance Society, which was a most important litigation. Much correspondence was had between one of the attorneys for the society and myself and several consultations were had between us. * * I advised that in my opinion an appeal to the Court of Appeals would be unsuccessful, although some reasons desirable, and it is my best recollection that although an appeal was formally taken and was pending for a long period, it was finally permitted to be disnissed without costs in June, 1903. In 1900 I was also consulted in relation to

certain differences which arose between the Equitable society and the Insurance De-

The most impressive dignles is worn beneuth a

NOX

It is the distinctive has of distingotshed people:

agenetes in air principal critics in the world

nacegone of the State of California. Many demonstrate were made by that department which is a moiety deemed unnecessary and objectionship as well as unauthorized and flugily is endeavored to cancel the license of the Equivalent to do business in California, which was an important State, yielding many millions of dollars in business a year. I adcannot required concerning the proper course to be pursued in contesting such demands There were numerous other consultations with me by the officers of the Equitable so. clety from 1802 to 1805, the particular subject matters whereof it is difficult to recall at this time. The fact, of such consultations was not made a matter of book account because was employed under an annual retaining fee generally paid in advance, and whether such consultations were more or less was regarded as immaterial. Without going into further details, it is sufficient to state that between the dates mentioned I was consulted by some of the officers of the society or its attorneys, either in person or by letter, on an average of at least two or three times a month in relation to the business affairs and the legal questions pertaining to the said nsurance corporation, and most of the perconsultations requiring a journey New York, where they usually took place It should also be stated that during this period I regarded myself as honorably bound employed against the Equitable

which it was known to be financially interested, always holding myself in readiness for the performance of professional services in its behalf whenever called upon. John E. Parsons, John M. Bowers, De Lancey Nicoli and Charles B. Alexander, witnesses for Mr. Hill, testified that in their opinion his retainer of \$5,000 a year was not excessive. The committee had no witnesses. When Mr. Hill was examined be

society in any litigation or in any matter is

never questioned that as Senator had the right to practise in the courts any State or the United States. The la any State or the United States. The law makes no provision against it, except that a Congressman shall not practise before the Government departments. I was employed by the State Attorney-General to try a case against the United States in 1892, when I was Senator, and have tried numerous other cases while I represented New York State in the Senate."

York State in the Senate."
Mr. Hill then read a list of a number of cases which he tried while he was serving as United States Senator in order to show that his action on behalf of the Equitable was nothing out of the ordinary.

Mr. Ward then began to question Mr. Hill

in behalf of the committee. "Did you ever represent an insurance company until you were Governor of the

"No, sir."
"Did you ever appear against a company?"

"Yes."

"Yes."

"What company?"
Mr. Hill consulted his counsel and found that he had argued a case against the Equitable and had won.

"Who was your Superintendent of Insurance when you were Governor?"

"John A. McCall was Superintendent of Insurance when I went in. He resigned shortly afterward to take a position as manager of the Equitable. I appointed Robert A. Makwell as his successor. He served some years, when I appointed James F. "Pierce to succeed him."

"How was the subject of the Equitable retainer first brought to your notice?"

"I first met the elder Mr. Hyde and Mr. Alexander at the Washington centennial in 1889. In 1892, about a month or six weeks after I had been elected Senator, I received word that Mr. Hyde wished to see me.

after I had been elected Senator, I received word that Mr. Hyde wished to see me.

"I was in New York at the Hoffman House and Mr. Hyde came to see me. He said he wondered if I would care to become counsel for the Equitable at a reasonable compensation. He asked me if I thought \$5,000 a year

retainer would be about right and I replied "How did you happen to think of practising law in connection with your Sena-torial duties?" "I thought that Congress would take only about half my time with the session from December to June, and that I would have from June to December for my private

"Were you ever consulted by the company as to its relation with the Department of In-

No: very little."

"Was there ever any doubt in your mind

as to the purpose of your retainer in the Equitable company?" "No. I had no doubt that I was retained simply as advising counsel in legal matters. Chairman Hufcutt asked Mr. Hill a few

questions.
"Were you ever consulted about pending
"Were you ever consulted about pending or future insurance legislation?"
"No, sir: I was not. I was consulted, of

"No, sir: I was not. I was consulted, of course, concerning cases under insurance laws which had already been passed."

Mr. Hill admitted that in 1892 he argued a case for the Provident Life Insurance Company. He started to tell of other Senators who had practised law while they were representatives of the people, including Roscoe Conkling and Daniel Webster, "That is all right," said Mr. Ward, "I think we all agree that a Senator has the right to practise law."

At the afternoon session former Governor

At the afternoon session former Governor Black, William G. Choate, Gen. Tracy and former Judge John F. Dillon testified on Mr. Hill's behalf. They all agreed that he was in the front rank in his profession, and that his retainer of \$5,000 a year was not excession.

The sub-committee, after it has considered the testimony, will report to the State Bar

BITTEN ON HIS DAY OFF.

Police Sergeant Has Encounters With

Mongrel Dog and His Owner. John T. Lake, a sergeant attached to the Fast 126th street station house, was attacked by a mongrel dog yesterday at

tacked by a mongrel dog yesterday at Audubon avenue and 194th street and severely bitten in the left leg. He tried to fight the animal off, but when it made a second effort to bite him he pulled his revolver and shot the dog dead. It was Lake's day off.

Bernard Ford, the manager of the Star Hotel, ran up when Lake shot the dog and began abusing him. The sergeant exhilited his badge, and when Ford showed fight arrested him on a charge of assault.

The prisoner was taken to the West 152d street station in a patrol wagon and Lake was driven to the home of Police Surgeon Daniel J. Donovan at 46 East 126th street, was division of the base of th

TWO DYING ON SCENERY CAR. Odd Double Mishap to Show Employees

- Both Had Fractured Skulls. Two men wer found unconscious on s flat car loaded with scenery in the freight yards of the New York, New Haven and Hartford Railroad at 132d street and the

Hartford Railroad at 132d street and the Harlem River early yesterday morning. They were taken to the Lincoln Hospital. One of them died yesterday afternoon and the other is expected to die.

Both were employed by the Frank A. Robbins feature show and the scenery in the car belonged to it. The dead man had his skull fractured in front, so it is thought his head struck a bridge. The other man also has a fractured skull. The dead man's name is unknown, but the other ad man's name is unknown, but the other is said to be John Frankfurter of 40 Bloom street. Newark.

LAWYER WROTE TO THE JUDGE,

WHEREEPON THE APPELLATE DIVINION REPRIMANDS HIM.

Cantolin Thought Detrinancy of the City Court Was Treating 18tm Enfortry and raid for to a Private Letter should Have Professed Charges, District Riss Lawyer Jacob Manheim, of Manheim &

Manheim, my Broadway, was reprimanded gosterday by the Appellate Division of the stome Court for writing a private latter for City Court Joneson Prancis H. Deletianty, securing him of presenter and unfarmore conclude of criaticis which he, Munheiro Manhotos and his friends assured to think

natoritor that the aution of the Appellate vision in merely reprimending him was of least a partial victory, and they pointed with smiles to certain anniences in the court's opinion. They asserted that the court had clearly returned the Justices of the City Court who united in an application for Manheim's punishment. The least that the City Court Justices had expected, it was ssid, was that Manhaim would be disci-plined by suspension for six months or so. Manhaim has been practising law for

steen years, and much of his practice is in the City Court. On December I last he appeared for the plaintiff in Meyerhoff va. Haker, with Adolph Cohen and Max D. Steuer for the defendant. Steuer has long nade a specialty of City Court litigation. The case came before Justice Delehanty

and a jury, and on Steuer's motion a verdiet was directed for the defendant. Manhelm protested against this, and when the next case was called, Edelstein vs. Rubin, a similar action with the same counsel on either side. Manheim declared that he would not proceed with the trial, as he believed Justice Delehanty to be prejudiced against im. The case then went over.

Next day Manheim sent a long ty pewritten letter to Justice Delehanty at his ome, 33 West Twelfth street.

In the letter he stated that what he had said in open court did not in any measure express his true feelings concerning what he believed to be the court's prejudice against him. It was his firm belief, he said, that Justice Delehanty felt so strongly against him personally that he would see every point of law raised in a trial from the standpoint most unfavorable to Manheim. He added:

It is common knowledge and feeling amon the members of the bar and a large par of the population of the city of New York that if a litigant desires to come into court under most favorable and gracious auspices his interests would be best subserved by employing certain counsel. And for that eason a great many lawyers prefer to engage such counsel rather than try the case themselves.

I do not wish to be like Jerome, criticising romiscuously, and I expressly wish to state that I have not the slightest fault to find with certain Judges, especially Judges Seabury, Green, Conlon and McCarthy.

Manheim went on to say that he had spoken with several of the jurymen in the Meyerhoffer case and had found them impressed with the belief that Justice Delehanty was prejudiced. One of them told Manheim that instead of returning a verdict for the defendant, as they were directed to do, the jury would have, if let alone, found a verdict at once for the plaintiff. Manheim's letter continues: Your Honor knows that the statement very

often made by some Judges that a lawyer has his remedy by appeal, if he deems that he has been unfairly treated, is not always true. The demeanor of a Judge toward one side or the other during a trial, contemptuous sniffs, gestures and slighting remarks, all not pictured on the record, may be very material influencing a jury one way or the other have suffered before your Honor in the

Manheim stated his further belief that had he been for the defendant and Steuer for the plaintiff Justice Delehanty's conducwould have been totally different and the plaintiff would not have been summarily thrown out of court. He concluded: Your Honor stated that last night you looked

up the law on the subject. I feel that you looked up the law, your wish being father to your thought, only to find support for your determination to throw the ! laintiff out of court. Yours, &c., JACOB MANHEIM. The seven Justices of the City Court decided that Manheim's letter contained

reflections not only adverse to Delehanty, but invidious to the entire bench. They took particular exception to the paragraph in which Manheim referred to "certain counsel," underscoring "certain." So they summoned him to show cause why his conduct should not be reported to the Appel-

Manheim engaged Austen G. Fox as counsel, and declared that the whole matter could not come before the Appellate Division too soon to suit him. In his affidavit to the Appellate Division he asserted that the letter to Justice Delehanty was a private one, written on the spur of the moment and in good faith, but not meant as a public at-tack on the court. Before he should be punished for writing such a letter every statement in which he reasseverated as in-spired by an honest conviction, he asked that the court should investigate the truth Justice Ingraham, writing the court's opinion, concurred in by Justices McLaugh-

lin, Clarke and Houghton, says in part: The Constitution and laws of the State provide for the removal of Judges whose conduct has disqualified them from holding the office to which they have been elected appointed; and it is the duty of every attorney or other citizen who has knowledge of an act which would justify such a removal to present the facts to those have the power of removal, in order that the proper action may be taken, when the charges can be properly investigated and the officer afforded an opportunity to be heard in his defence; but it certainly cannot aid in the administration of justice to have attorneys of the court charge Judges with favoritism or improper conduct under circumstances which prevent the Judge charged

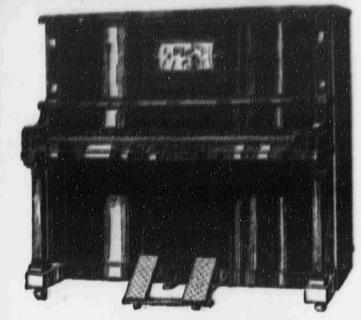
rom being heard in his own defence. We think that the method employed by the respondent (Manheim) should be severely condemned as eminently improper and inonsistent with the relations that must exist between the members of the bar and the judicial officers who are charged with the duties of administering justice.

But as the respondent asserts that this letter was written upon an impulse and that there was no intention of giving publicity to his grievance or doing more than ex-pressing to the Justice his feelings, and while cannot condemn too severely the act of the respondent, we do not feel that the circumstances disclosed call upon us to take any further action than to express our condemnation and publicly reprimand the attorney for the course that he has pursued. With this expression of our views the proceeding will be dismissed.

Justice Laughlin dissents, holding that if Manheim's conduct is permitted to pass with a mere reprimand, others, laymen and lawyers, will be encouraged to ventilate their views concerning the courts and Judges, often maliciously. If Manheim is right, Justice Laughlin says, then Delehanty and the other two Judges, O'Dwyer and Hascall, designated by exclusion in the letter, are wholly unfit to hold judicial office, and Manheim should have preferred charges against them But to allow unjust reflections of this character to pass undisciplined will soon destroy public confidence in the bench, Justice Laughlin thinks. He, therefore, thinks that Manheim should be required to make a public apology in open court, or, in default, to be suspended for six months.

The City Court Justices had no comment to make on the action of the Appellate Justice Laughlin dissents, holding that on the action of the Appellate

EMPEROR WILLIAM'S PIANOLA PIANO



*BOVE is an illustration of the Weber Pianola Piano just purchased by His Imperial Majesty. William II., Emperor of Germany.

This is not a special design made exclusively for the Emperor, but is our "Style 23 P," such as is regularly sold in our New York warerooms for \$900.

Prices of Pianola Pianos from \$550 to \$1,060 The Aeolian Co., Acolian Hall, 362 Fifth

SHOT A GIRL; KILLED HIMSELF. degler and Elizabeth Schinkler Left Each

Other Two Weeks Ago.

William Ziegler, 22 years old, a laborer; of 26 Chapel street, Brooklyn, committed suicide at 66 Prospect street by shooting nimself in the right temple after firing three bullets into Elizabeth Schinkler, 23 years old. Ziegler and Elizabeth formerly ived together at 64 Prospect street. They had a quarrel, and two weeks ago he left her. Yesterday afternoon he called to see her and was told she was next door, at 66 Prospect street, with Mrs. Esther Weiss. He called there and asked Mrs. Weiss where the girl was, and was informed she was downstairs caring for Mrs. Weiss's young child. He said he desired to see her, and Mrs. Weiss called her. When the girl arrived on the second floor she did not seem pleased at finding Ziegler, who said he had decided to sell the furniture and that she had better pick out her own things. This led to an argument, during which Ziegler

occused her of being unfaithful to him. She became angry and started to leave the room. The shooting followed. One of the bullets penetrated her left lung, another entered her abdomen and the third lodged in her shoulder. She screamed and fell to entered her abdomen and the third lodged in her shoulder. She screamed and fell to the floor. Mrs. Weiss opened the window and called for the police. This brought neighbors to the house, and as they were hastening upstairs Ziegler ran into the hallway and shot and killed himself. The girl was taken to the Brooklyn Hos-pital in a critical condition.

ACTOR SMALLPOX VICTIM. Harrison J. Wolfe Dies in the Kingston

Harrison J. Wolfe, the leading man during the last season in "The Marriage of Kitty died on Wednesday of smallpox at the Kingston Avenue Hospital for Contagious Diseases, in Brooklyn

Five days before his death he had been removed to the hospital from his home, 234 West Seventy-sixth street, Manhattan. He told the doctors that he had been vac-cinated when a boy, but it had not taken effect and he had not been vaccinated since. His wife arrived on Thursday from Council Bluffs, Ia., and yesterday she made arrange-ments to have the body buried in the plot of the Actors' Fund.

Mr. Wolfe was in his thirty-sixth year and had been on the stage over twelve years.
He was married three times. His marriage

Obliuary Notes.

last year.

his third wife took place in January,

The Rev. Philip Watters died yesterday norning of a complication of diseases at his ome, 435 West 123d street. He was born in Ireland eighty years ago, coming to this Ireland eighty years ago, coming to this country when a small boy. Mr. Watters when a young man took an active part in church work and was made a lay preacher in the Methodist Episcopal Church. Mr. Watters was an iron merchant and retired from active business many years ago. He is survived by his wife, three daughters and a son, the Rev. Dr. Philip Melangthon Watters. The funeral will be held on Monday morning from the residence and the interment will be at Sleepy Hollow Cemetery, Irvington.

be at Sleepy Hollow Cemetery, Irvington.

Norwood A. Halsey died on Thursday
night at his home, 30 Winans street, East
Orange, aged 72 years. Death was caused
by paralysis of the heart. He served in the
Tenth New York Volunteers in the Rebellion.
For eighteen years he was connected with
the public stores; in New York. He is survived by a wife and one son, Councilman
William N. Halsey, who is chairman of the
police committee of the Nutley Town Council,
and a sister, Mrs. James Dewsnap of Orange.

Mary F. Hamilton, the wife of the Rev. Jay Benson Hamilton, associate pastor of the John Street Methodist Episcopal Church, Manhattan, died suddenly of paralysis on Thursday at her home, 359 Lafayette avenue, Brooklyn, in her fifty-second year. In addition to her husband, she leaves three daughters.

daughters.

Mrs. Joseph H. Patterson, for twenty-two years a resident of New York and who had lived in Ottawa since 1903, was found dead in bed there yesterday by her husband, heart disease causing death. She left three sons. She was a sister of Prof. Sumner of Yale and a half sister of the wife of Walter Camp. Charles Stetson Brooks, who died on Wednesday at his home, 573 Macon street, Brooklyn, in his sixty-seventh year, had been an inspector in the Custom House sixteen years. He was a civil war veteran and a member of U. S. Grant Post, G. A. R. He leaves a widow and a daughter.

William H. Walton, formerly a well known fire adjuster, died yesterday at his home 398 Vanderbilt avenue, Brooklyn, in his seventy-third year. He leaves a widow and a daughter.

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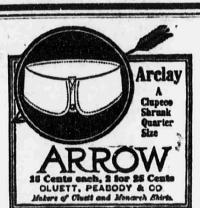
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19 Park Place, New York.



CARPET CLEANSING



DIED. ASHMEAD .- On May 11, 1906, Sarah, daughter of Albert S. and Belle W. Ashmead, aged 7 years Funeral services at the family residence, 456 West 24th st., Saturday evening at 8:30 o'clock-interment at South Laurel Hills Cemetery. Philadelphia. Philadelphia papers please copy.

CUMMINGS.—Suddenly, of pneumonia, at Jersey City, on Wednesday, May 9, William H. Cummings, aged 61 years.
Funeral services from his late residence, 286 Be gen av., Saturday, May 12 at 2 P. M. DE RONGE.-At Short Hills, N. J., in his 48th year. Charles De Rongé Funeral at Church of St. Rose of Lima, Short

Hills, Saturday, May 12, at 10:15.

MILLER .- On Friday, May 11, Abraham Bancker Miller, son of A. B. and Mary Conger Mille. Funeral on Monday, May 14, at his late residence.

Bancker place, New Rochelle, on arrival of the 2:15 P. M. train from Grand Central Station. Carriages in waiting. SHEEHAN .- On Thursday, May 10, at her rest dence, 258 West 88th st., Ellen M., beloved wife

of John Sheehan, in her 57th year. Services at the Church of the Blessed Sacrament New Rochelle, N. Y., Saturday, May 12, 8 o'clock A. M. Interment in Holy Sepulchre Cemetery. Train leaves Grand Central Sta tion at 9:02 A. M.

INDERWOOD, -On Thursday, May 10, at her red dence, No. 144 Slp av., Jersey City, Catherine A widow of William Underwood, in her 72d 3 cat WATTERS .- On May 11. Reve Philip Watters

aged 80, father of Rev. Dr. Philip M. Watters Funeral on Monday, May 14, at 11 A. M. at 1 late residence, 435 West 123d street ment private, at Sleepy Hollow Cemeter

RELIGIOUS NOTICES.

FIFTH AVENUE PRESBYTERIAN CHURCH. Fifth Avenue and Fifty ofth Str Rev. J. ROSS STEVENSON, D.

Minister. Rev. GEO. H. TRULL, Assistant
Public Worship on May 13 at 11 a. m. and 4
Dr. Stevenson will preach at both serv
Morning Topic: "The Manifestation of 6
Alternoon Topic: "Marah."
Bible School meets at 9.30 a. m
Wednesday Evening Service commences
Strangers are cordially invited The Salvation Army.

Hippodrome, 43d Street & Sixth Axense Sunday, May 13th, at 7:30 P. M Commander (Miss) Booth in Rags will tell the tale of a broken hear! and sing the song of large. Interest of San Francisco Fund

CHURCH OF THE MESSIAH (Unitarial St., cor. Park Av.—Services 11 A. M. Hex O. Hall of the Church of The Divine Paterial Preach. Subject: "Recompense and Reight Sunday School 10 o'clock in Chapel, cutted Park av.